

Dear Judge Hellerstein:

I am writing on behalf of Plaintiffs in the above-referenced action to request that the Initial Scheduling and Case Management Conference, currently scheduled for March 28, 2008, be continued to any date convenient for the Court during the week of April 7, 2008.

This request for a continuance is being made pursuant to Rule 1(D) of Your Honor's Individual Rules and is the first such request. I have contacted counsel for Defendants, Jonathan Davis, and counsel has advised me that Defendants have no objection to this request for a continuance.

As the lead trial attorney for Plaintiffs in this matter (my pro hac tiæ application is currently awaiting the Court's approval) my attendance at the Initial Scheduling and Case Management Conference is mandated by this Court's February 20, 2008 Notice of Court Conference. Unfortunately, I am unable to attend the scheduled March 28th Conference due to a conflict on my calendar which requires me to attend a previously scheduled engagement out of state.

The requested continuance is also warranted in light of the Parties' stipulation extending Defendants' time to answer or otherwise respond to Plaintifs' complaint to March 10, 2008. If the current March 28th hearing date remains in place, the parties' deadline to meet and confer on a case management plan pursuant to Fed. R. Civ. Proc. 26(f) would be March 7th, three days before Defendants' response to the complaint is due to be filed. A continuation of the Initial Scheduling and Case Management Conference to the week of April 7th would enable the Parties to adequately meet and confer on a case management plan and to file said plan in a timely fashion prior to the Conference.

FAX NO. 2134851200

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## LOCKE LORD BISSELL & LIDDELL LLP

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Please advise at the Court's earliest convenience whether the Court approves this request for a continuance and also advise as to the new date for the Case Management Conference. Once so notified by the Court, I will immediately provide notice to Defendants.

Sincerely,

LOCKE LORD DISSULL & LIDDELL, LLP

Brandon J. Witkow

cc: Jonathan D. Davis, Esq. (via electronic mail)
Joseph Froehlich, Esq. (via electronic mail)
David G. Greene, Esq. (via electronic mail)
Cory A. Baskin, Esq. (via electronic mail)

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